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MS AF  
RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1643

PATENT  
5012-0104PUS1

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: ECKERT, Helmut et al. Conf.: 2392  
Appl. No.: 09/889,300 Group: 1643  
Filed: September 13, 2001 Examiner: YAEN, C.H.  
For: USE OF ANTIBODIES FOR VACCINATION  
AGAINST CANCER

NOTICE OF APPEAL FROM THE  
PRIMARY EXAMINER TO THE BOARD OF APPEALS

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 9, 2006

Sir:

Applicants hereby appeal to the Board of Appeals from the Office Action dated September 9, 2005 of the Primary Examiner twice rejecting claims 1, 7-9, 12 and 14-24.

This document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.  
 This document is being transmitted via facsimile.

The applicant(s) hereby petition(s) for an extension of ( ) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

NO extensions of time have been previously obtained for responding to the Office Action. Thus a fee of \$510.00 is required for the full period of the above-requested extension of time.

An extension of ( ) month(s) for responding to the Office Action was previously requested and paid for on

Appl. No. 09/889,300

Thus a fee of \$0.00 is required to obtain an additional ( ) month(s) for filing the Notice of Appeal.

Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

Large entity - \$500.00

Small Entity - \$250.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$760.00.

Payment of the above TOTAL FEE is being made in the following manner:

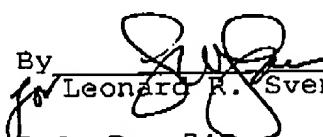
Check(s) in the amount of \$0.00 is/are enclosed.

Please charge Deposit Account No. 02-2448 in the amount of \$760.00.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Leonard R. Svensson, #30,330  
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LRS/SWG/sbp  
5012-0104PUS1

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**Birch, Stewart,  
Kolasch & Birch, LLP**

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<b>To:</b>	Examiner C.H. Yaen	<b>From:</b>	Leonard R. Svensson
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<b>Phone:</b>		<b>Date:</b>	March 9, 2006
<b>Your Ref.:</b> Application No. 09/889,300		<b>Our Ref.:</b> 5012-0104PUS1	
<b>Re:</b>	Notice of Appeal	<b>CC:</b>	

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